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Responsive to 05 October 2005 Office Action

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### REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

### DISCLOSURE AMENDMENT

The disclosure has been objected to because of the Office Action concerns listed within the item 1 on page 2 of the Detailed Action portion of the Office Action. As the disclosure has been carefully reviewed and has been amended where appropriate in order to address each of the Office Action listed concerns (i.e., to remove the alleged inconsistency), reconsideration and withdrawal of the objection to the disclosure are respectfully requested.

### PENDING CLAIMS

Claims 3-4, 6, 8-10, 12 and 14-25 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply clarified claims. At entry of this paper, Claims 3-4, 6, 12 and 14-25 will be pending for further consideration and examination in the application.

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### **REWRITTEN ALLOWABLE CLAIM**

Claim 25 has been indicated as being allowable if rewritten, as indicated within the item 8 on page 8 of the Office Action, and such claim has been so rewritten. Reconsideration and renewal of the allowance are respectfully requested. Applicant and the undersigned respectfully thank the Examiner for such indication of allowable subject matter.

### **ALLOWABLE CLAIMS DUE TO PARALLELISM**

Unrelated to any prior art rejections, the features/limitations of original (allowable) claim 25 have been added into independent claim 15 (and claims 17-20 by dependency). Owing to such parallelism, such claims should likewise be allowable over the prior art of record. Accordingly, consideration and express written allowance of such claims 15 and 17-20 are respectfully requested.

### **CLAIM OBJECTIONS OBSOLETE VIA CLAIM CANCELLATION**

Claims 8-10 have been objected to because of the Office Action concerns listed within the item 2 on page 2 of the Office Action. As such objection has been rendered obsolete by the present cancellation of the objected-to claims, reconsideration and withdrawal of the objection are respectfully requested.

### **REJECTION UNDER '112, 2ND PAR. OBIATED VIA CLAIM AMENDMENT**

Claims 4, 6, 9, 17 and 21 have been rejected under 35 USC '112, second paragraph, as being indefinite for the concerns listed within item 4 on page 3 of the Office Action. Appropriate ones of claims 4, 6, 9, 17 and 21 have been carefully

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reviewed and carefully amended where appropriate in order to address the Office Action listed concerns (i.e., to remove the alleged inconsistency). As the foregoing is believed to have addressed all '112 second paragraph concerns, reconsideration and withdrawal of the '112 second paragraph rejection are respectfully requested.

### REJECTION UNDER 35 USC '103

The 35 USC '103 rejection of claims 3-4, 6, 8-10, 12 and 14-24 as being unpatentable over Barr et al. (U.S. Patent 6,657,816 B1) in view of Sasaki et al. (U.S. Patent 6,130,805) is respectfully traversed. All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

Unrelated to any prior art rejection, claims 8-10 have now been canceled without prejudice or disclaimer, thus rendering this rejection of such claims obsolete at this time. Patentability of remaining ones of the rejected claims are supported as follows.

In order to properly support a §103 obviousness-type rejection, the reference not only must suggest the claimed features, but also must contain the motivation for modifying the art to arrive at an approximation of the claimed features. However, the cited art does not adequately support a §103 obviousness-type rejection because it does not, at minimum, disclose (or suggest) the following limitations of Applicant's clarified claims.

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As mentioned previously in Applicant's 08 August 2005 Amendment, one objective of Applicant's disclosed and claimed invention is to effectively flow substantial magnetic flux to a magnetic pole tip layer so as to provide an inductive head giving a high recording magnetic field. Applicant's combination invention accomplishes the same, at least in part, by having a width of a front end of an upper magnetic core wider than that of a rear end of a magnetic pole tip layer. See Applicant's specification page 5, lines 11-16, and the marked-up copy of Applicant's FIG. 1(b) attached to Applicant's 08 August 2005 Amendment.

Barr doesn't disclose or suggest any type of arrangement wherein the width of the front end of the upper magnetic core is larger than that of the rear end of the magnetic pole tip layer. Applicant has discovered that such configuration, in combination with the rest of Applicant's combination claim, results in an advantageous arrangement where magnetic flux is effectively flowed to the magnetic pole tip layer so as to provide an inductive head giving a high recording magnetic field. At best, Barr just discloses the width of the front end of the upper magnetic core is same or smaller than that of the rear end of the magnetic pole tip layer (see Fig 3A of Barr attached herewith).

The Examiner has apparently recognized the deficiency of the Barr et al. reference, in that the Examiner has further cited the Sasaki et al. reference. The second full paragraph of page 5 of the 05 October 2005 Office Action states (in part), "Sasaki et al. show that a width of a front end of an upper magnetic core 86 is larger than that of a rear end of a magnetic pole tip layer 81 (see Fig. 41)."

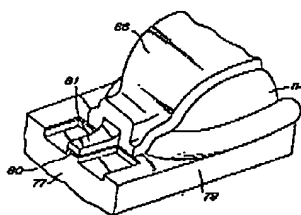
**Strong traversal is appropriate.** To begin, it is respectfully noted that there is **absolutely no textual discussion anywhere within Sasaki et al. which teaches**

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that a width of a front end of an upper magnetic core should be wider than that of a rear end of a magnetic pole tip layer. The Examiner appears to be relying on FIG. 41's perspective view (reproduced below), wherein an exposed portion of Sasaki et al.'s second magnetic layer 81 is less wide than an exposed portion of Sasaki et al.'s third magnetic layer 86.

FIG. 41

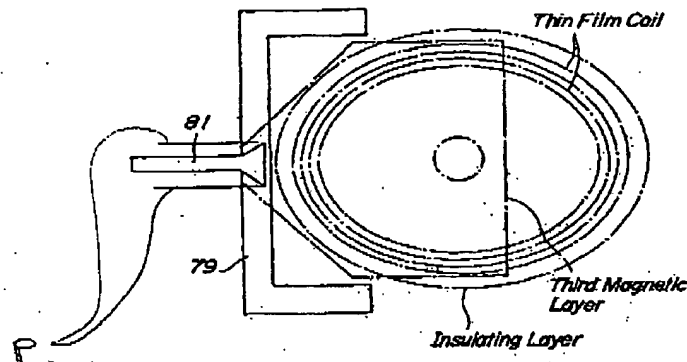


However, such totally ignores any unexposed portion of Sasaki et al.'s second magnetic layer 81. More particularly, Sasaki et al.'s FIGS. 43, 44 (reproduced below), for example, show that Sasaki et al.'s second magnetic layer 81 extends into Sasaki et al.'s third magnetic layer 86.

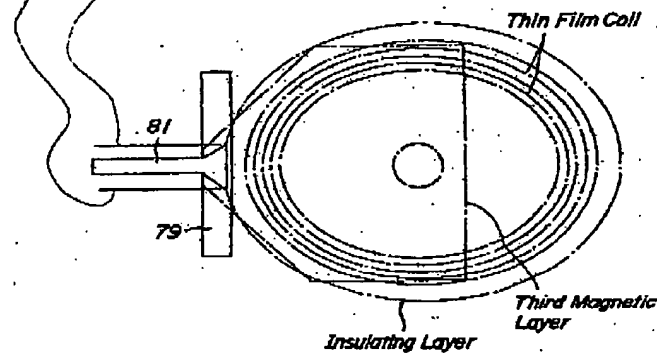
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**FIG. 43**



**FIG. 44**



If projection lines "P" are added as above, it can be clearly seen that Sasaki et al.'s FIGS. 43, 44 have a relationship where a width of a front end of Sasaki et al.'s third magnetic layer 86 is NOT wider than a rear end of Sasaki et al.'s second magnetic layer 81. That is, the Examiner's reliance on the FIG. 41 perspective view appears based on misinterpretation, without any textual disclosure supporting the Examiner's interpretation, and with Sasaki et al.'s FIGS. 43, 44 tending to show otherwise. In short, the Examiner has not established a prima facie case of obviousness.

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As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested. Further, at this point, it is respectfully submitted as a reminder that, if new art is now cited against any of Applicant's unamended claims, then it would not be proper to make a next action final.

#### EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

#### RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to

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any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

### CONCLUSION

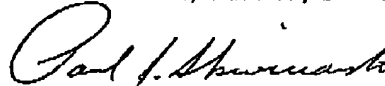
In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 520.39873VX1) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

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